



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF)

JEFFREY A. HERMAN et al.)

Serial No. 09/848,951)

Filed: May 3, 2001)

For: METHOD AND APPARATUS FOR)
ANALYZING DATA)

) Examiner: Unassigned

) Group Art Unit: 2131

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please consider the following amendments and remarks.

Applicant hereby submits the attached claim pages 18 - 24 as replacement to claim page 18 of the original application as required under 37 CFR 1.121(c)(1)(i). Applicant further submits a marked-up copy of said claim pages as required under 37 CFR 1.121(c)(1)(ii).



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:) Attorney Docket No.: SUNMP055C2
HERMAN et al.)
Application No.: 09/848,951) Examiner: Kendall, Chuck O.
Filed: May 3, 2001) Group Art Unit: 2122
For: METHOD AND APPARATUS FOR ANALYZING) Date: May 3, 2004
DATA)

Duplicate for
fee processing

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the
United States Postal Service as First Class Mail to: Commissioner
for Patents, Alexandria, VA 22313-1450 on May 3, 2004.

Signed: 

Sylvia Castillo

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MAY 07 2004

Transmitted herewith is an Amendment in the above-identified application. Technology Center 2100
The fee has been calculated as shown below.

	Claims Remaining After <u>Amendment</u>	Highest Previously <u>Paid For</u>	Present Extra	SMALL ENTITY <u>RATE FEE</u>	OR	LARGE ENTITY <u>RATE FEE</u>
TOTAL						
CLAIMS	<u>27</u>	<u>-</u>	<u>27</u>	<u>0</u>	<u>X09 = \$</u>	<u>OR X18 = \$</u>
INDEP						
CLAIMS	<u>03</u>	<u>-</u>	<u>03</u>	<u>0</u>	<u>X43 = \$</u>	<u>OR X86 = \$</u>
[] Multiple Dependent Claim Present and Fee Not Previously Paid				<u>\$145</u>		<u>\$290</u>
			TOTAL	<u>\$</u>		<u>\$0</u>

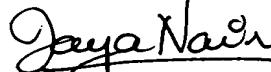
Applicant(s) hereby petition for a _____ month(s) extension of time to respond to the outstanding Office Action.

Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805.

Enclosed is our Check No. _____ in the amount of \$_____ to cover the additional claim fee and/or extension of time fees.

If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. SUNMP055C2). A copy of this sheet is enclosed.

Respectfully submitted,
MARTINE & PENILLA, LLP



Jaya Nair, Esq.
Registration No. 46,454

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Sunnyvale, CA 94085
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Customer Number 32291



MAY 06 2004

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 126.00)

Complete if Known

Application Number	09/848,951
Filing Date	May 3, 2001
First Named Inventor	JEFFREY A. HERMAN
Examiner Name	UNASSIGNED
Group Art Unit	2131
Attorney Docket No.	83000.946C2/P2867C2

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MAY 07 2004

Technology Center 2100

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	<input type="text"/>
106	320	206 160 Design filing fee	<input type="text"/>
107	490	207 245 Plant filing fee	<input type="text"/>
108	710	208 355 Reissue filing fee	<input type="text"/>
114	150	214 75 Provisional filing fee	<input type="text"/>

SUBTOTAL (1) (\$ 126.00)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
27	3		-20** = 7	X 18.00	= 126.00
			-3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 126.00)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	<input type="text"/>
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139 130 Non-English specification	<input type="text"/>
147	2,520	147 2,520 For filing a request for ex parte reexamination	<input type="text"/>
112	920*	112 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215 55 Extension for reply within first month	<input type="text"/>
116	390	216 195 Extension for reply within second month	<input type="text"/>
117	890	217 445 Extension for reply within third month	<input type="text"/>
118	1,390	218 695 Extension for reply within fourth month	<input type="text"/>
128	1,890	228 945 Extension for reply within fifth month	<input type="text"/>
119	310	219 155 Notice of Appeal	<input type="text"/>
120	310	220 155 Filing a brief in support of an appeal	<input type="text"/>
121	270	221 135 Request for oral hearing	<input type="text"/>
138	1,510	138 1,510 Petition to institute a public use proceeding	<input type="text"/>
140	110	240 55 Petition to revive - unavoidable	<input type="text"/>
141	1,240	241 620 Petition to revive - unintentional	<input type="text"/>
142	1,240	242 620 Utility issue fee (or reissue)	<input type="text"/>
143	440	243 220 Design issue fee	<input type="text"/>
144	600	244 300 Plant issue fee	<input type="text"/>
122	130	122 130 Petitions to the Commissioner	<input type="text"/>
123	50	123 50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126	180	126 180 Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
179	710	279 355 Request for Continued Examination (RCE)	<input type="text"/>
169	900	169 900 Request for expedited examination of a design application	<input type="text"/>

Other fee (specify) _____

SUBTOTAL (3) (\$ 126.00)

*Reduced by Basic Filing Fee Paid

Complete if applicable

Name (Print/Type)	Cynthia A. Casby	Registration No. (Attorney/Agent)	47,475	Telephone	(310) 286-0377
Signature				Date	January 3, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.